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Preparatory Committee
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Agenda item 6

REPORT ON OTHER MEETINGS AND ACTIVITIES

Note by the Secretariat

Contribution submitted by the Romanian Institute for Human Rights

The attention of the Preparatory Committee is drawn to the attached declaration adopted at the Bucharest Symposium (15-17 March 1993) organized by the Romanian Institute for Human Rights as a satellite meeting of the World Conference on Human Rights, on the topic "The reform of international institutions for the protection of human rights".

GE.93-13203 (E)

THE BUCHAREST SYMPOSIUM

I. With regard to United Nations bodies

1. Considering that the committees established by the United Nations human rights covenants and conventions play a crucial part in guaranteeing respect for human rights throughout the world,

And that their functioning could be improved:

Requests:

That the work begun for that purpose should be completed as rapidly as possible;

That efforts should be made to avoid overlapping, whether between United Nations bodies or between them and the regional agencies;

To that end, that the drawing up of specific conventions should be avoided as much as possible and that the new instruments should rather, take the form of additional optional protocols to an existing convention;

Expresses the wish that the existing conventions should be reviewed and that organizational measures should be taken:

(a) To enable the committees to act more rapidly and effectively, in particular when human rights are seriously threatened in a particular region or country;

(b) To simplify the submission of reports by States;

Hopes that these committees will have sufficient resources, both human and material, to guarantee their optimum functioning;

2. Considering that the United Nations Centre for Human Rights should be given greater authority, that its effectiveness could be increased and that its resources should be expanded for that purpose,

Expresses the hope that the Centre will be directed by a High Commissioner for Human Rights, who could in particular take steps in emergency cases;

Hopes that the work begun on modernizing and rationalizing the functioning of the Centre for Human Rights will be diligently pursued;

Firmly trusts that the Centre for Human Rights will be given human and material resources to enable it to contribute more effectively to the performance of the committees' tasks.

II. With regard to the establishment of an international tribunal

Considering that the serious crimes currently being committed in violation of humanitarian law and human rights are an outrage to human beings

everywhere, and that if these crimes cannot be prevented, their perpetrators should at least be punished so that the example of that punishment will prevent the recurrence of such crimes;

Welcomes the establishment by the United Nations Security Council of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991 and proposes that in other similar cases of gross violations of humanitarian law, especially in conflict situations such as those in the eastern parts of the Republic of Moldova, such cases should be examined by competent United Nations bodies;

Considering also that there is not yet, within the United Nations, a body competent to deal with humanitarian law,

Proposes the establishment, within the United Nations, of a body entrusted with promoting and enforcing international humanitarian law.

It was also proposed that the United Nations should examine the problem of establishing other ad hoc tribunals or a permanent court with universal jurisdiction, to which situations of serious conflict similar to those mentioned above might be referred.

III. With regard to education in the field of human rights

Taking into consideration the achievements of the various international institutions working in the field of education;

Hopes that the United Nations will establish and finance a special fund for promoting education in the field of human rights;

Hopes that a body will be established to coordinate existing programmes within the United Nations and its specialized agencies;

Expresses the hope that the United Nations will encourage States to set up an easily accessible human rights information network;

Invites the United Nations to recommend that Member States should arrange for the teaching of human rights from infancy.

IV. With regard to the promotion of the family

Considering that, with the International Year of the Family approaching, the promotion of the family should be the basic goal of the human community,

Bearing in mind the fact that the numerous changes in contemporary society have considerably altered the role and functions of the family and that the objectives and principles of the International Year of the Family, as summarized in the documents of the Secretary-General of the United Nations, call for vigorous international action to establish a legal and structural framework conducive to the strengthening of the family and the effective exercise of its functions,

In view of the fact that there are specific problems in certain States regarding the marked deterioration in the traditional family, under the influence of impoverishment, the lack of health care and the decline of the education system, and that these problems demand coordinated assistance from the nations of the world,

Proposes:

1. The establishment of a United Nations body to assume the tasks currently being performed by the Organization's committees of experts, which will be competent to analyse and deal with family policies and to propose to the General Assembly suitable measures to help countries that need assistance.

This body might also prepare drafts of international conventions concerning the family, in line with those objectives and principles of the International Year of the Family that have an undeniably permanent value;

2. The establishment of an International Institute for Family Problems responsible for analysing the development of the family in the different States and making proposals to the above-mentioned body;

3. The preparation by this body of a specific programme and a long-term programme to promote the family in the newly independent States and in those contending with difficult economic problems, involving the developed States in this process.

It was also proposed to include the decline in moral values among the causes of the deterioration of the traditional family.

V. With regard to the right to development

Considering that development is essential for the well-being of peoples, including the effective realization of their fundamental civil, political, social, cultural and economic rights;

Invites States to consider means of guaranteeing the right to development both at the individual level and for the population as a whole, on the basis of the 1986 Declaration on the Right to Development.

VI. With regard to the rights of persons belonging to minorities

The Symposium believes that the World Conference should:

1. Include among its conclusions the fact that there is an intrinsic link between democracy and respect for human rights and that the minorities' various problems can only be solved in a political system based on democracy, the rule of law and political pluralism.

2. Reaffirm the principle that the rights of persons belonging to minorities are an integral part of the general concept of human rights, as governed by contemporary international law. States, as the primary guarantors of the rights of persons belonging to minorities, must take all necessary measures to ensure the development of fundamental rights and freedoms.

3. Emphasize the undeniable fact that States have the principal responsibility for the effective realization of human rights, including those of persons belonging to minorities.

4. Discuss the experience and ideas of the participating countries while taking into consideration the experience acquired in the framework of the Conference on Security and Cooperation in Europe and the Council of Europe to ensure respect for human rights, especially the rights of persons belonging to minorities; to that end, the Conference should provide for broad dissemination of the standards adopted by the CSCE and the Council of Europe.

It was further proposed that United Nations committees and groups of experts should also include experts specializing in the various geographical areas who are familiar with the problems of the minorities in those areas and are able to provide competent and effective consultation.

The Conference should stress the need for effective implementation of the numerous human rights documents and international conventions adopted to date and should discourage the tendency to elaborate new instruments.

VII. With regard to the monitoring system of the European Convention on Human Rights of the Council of Europe

Considering that the European Convention on Human Rights of the Council of Europe introduced a system for the protection of human rights that makes it the leading European instrument in the field;

Considering that it makes a decisive contribution to ensuring strict respect for fundamental rights in the member States of the Council of Europe;

Considering that it is nevertheless urgent, in view of the growing number of petitions submitted to the monitoring bodies, to take measures designed to ensure the optimum functioning of the Convention;

Gives its support to the work being conducted for that purpose, aimed either at merging the European Commission and European Court of Human Rights into a single legal organ or at improving the existing two-tier system;

Hopes that this work will be completed rapidly;

Expresses the hope that the judicial character of the system of protection will be strengthened and that the areas of competence of the Committee of Ministers will be reduced in favour of the Court.